

AN ORDINANCE 2006-03-02-0285

**AUTHORIZING THE EXTENSION OF THE MERCHANT BANKING SERVICES CONTRACT WITH CHASE PAYMENTECH SOLUTIONS, LLC FOR THE AUTHORIZATION, CAPTURE, PROCESSING AND SETTLEMENT OF CREDIT CARDS, DEBIT CARDS, STORED VALUE CARDS, AND OTHER NON-CASH PAYMENT CARD TRANSACTIONS, FOR AN ADDITIONAL NINE-MONTH TERM, COMMENCING OCTOBER 1, 2006, AND ENDING JUNE 30, 2007.**

\* \* \* \* \*

**WHEREAS**, through Ordinance No. 92328, passed and approved August 17, 2000, the San Antonio City Council ("City Council") authorized the execution of the *Credit Card Services Contract* ("Contract") with Paymentech, LLC, ("Contractor"); and

**WHEREAS**, the Contract provides for the authorization, capture, processing and settlement of credit, debit, stored value and other non-cash payment card transactions at a discount rate, and other related interchange fees, as applicable, when payment is made to the City of San Antonio ("City") for services and goods using such cards; and

**WHEREAS**, through Ordinance No. 98119, passed and approved and September 4, 2003, the City Council authorized the amendment of the Contract and renewal for an additional three-year term, which began October 1, 2003, and will end September 30, 2006; and

**WHEREAS**, City Staff recommends the extension of the Contract as heretofore amended for an additional nine-month term, which will commence October 1, 2006, and end June 30, 2007, so that the Contract will expire on the same date as the City's current Depository Services Contract, which will enable the City to utilize the same Request For Proposals process to enter into one contract providing for, among other services, depository banking services and merchant banking services; **NOW, THEREFORE**;

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The *Credit Card Services Contract* with Chase Paymentech Solutions, LLC, formerly known as Paymentech, LLC, authorized and approved through Ordinance No. 92328, passed and approved August 17, 2000, and amended and renewed through Ordinance No. 98119, passed and approved September 4, 2003, is hereby extended for a nine-month term to commence on October 1, 2006, and end on June 30, 2007. A copy of the *Extension Of Credit Card Services Contract* ("Extension") is attached hereto and made a part hereof for all purposes as Attachment I. The terms and conditions of the Extension are hereby approved. The City Manager, or her

designee, is hereby authorized to execute the Extension. If the parties are unable to execute the Extension substantially in accordance with the terms and conditions set forth in Attachment I within forty-five days from the effective date of this Ordinance, authority to execute the Extension is subject to subsequent City Council action.

**SECTION 2.** No financial impact will result from this Ordinance.

**SECTION 3.** This Ordinance is effective immediately, upon passage by eight (8) affirmative votes; otherwise, said effective date shall be ten (10) days from the date of passage hereof.

**PASSED AND APPROVED** this 2<sup>nd</sup> day of March, 2006.




M A Y O R

PHIL HARDBERGER

ATTEST:   
City Clerk

APPROVED AS TO FORM:

  
City Attorney

A T T A C H M E N T I

## EXTENSION OF CREDIT CARD SERVICES CONTRACT

This *Extension Of Credit Card Services Contract* ("Extension") is entered into by and between the **CITY OF SAN ANTONIO, TEXAS** (hereinafter referred to as "CITY"), a Texas Municipal Corporation, acting by and through its City Manager, or her designated representative, pursuant to Ordinance No. \_\_\_\_\_, passed and approved February \_\_\_\_, 2006, and **CHASE PAYMENTECH SOLUTIONS, LLC**, a \_\_\_\_\_ limited liability company, formerly known as Paymentech, LLC (hereinafter referred to as "CONTRACTOR"), and is as follows:

**WHEREAS**, pursuant to Ordinance No. 92328, passed and approved on August 17, 2000, CITY's City Council authorized the execution of a merchant banking contract with Paymentech, LLC, providing for authorization, capture, processing and settlement of credit card, debit card, stored value card and other non-cash payment card transactions, for a thirty-seven (37) month term beginning September 1, 2000 and ending September 30, 2003 ("Contract"), with an option for the City to renew the Contract for one (1) additional three (3) year term; and

**WHEREAS**, pursuant to Ordinance No. 98119, passed and approved on September 4, 2003, CITY's City Council authorized the renewal and amendment of the Contract for an additional three (3) year term commencing October 1, 2003, and ending September 30, 2006; and

**WHEREAS**, CITY and CONTRACTOR have agreed to extend the Contract as heretofore amended for an additional nine (9) month term, which will commence October 1, 2006, and end June 30, 2007, so that the Contract will expire on the same date as the City's current Depository Services Contract, which will enable the City to utilize the same Request For Proposals process to enter into one contract providing for, among other services, depository banking services and merchant banking services; **NOW, THEREFORE**

**FOR VALUABLE CONSIDERATION**, CITY and CONTRACTOR hereby severally and collectively agree as follows:

### I.

CITY and CONTRACTOR mutually agree to extend the term of the Contract for a period of nine (9) months, commencing October 1, 2006, and terminating June 30, 2007, under the same terms and conditions as stated in the Contract, as the same have been amended by that certain *Renewal And Amendment Of Credit Card Services Contract* between the parties.

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## II.

All terms and conditions of the Contract as the same have been heretofore amended shall remain unchanged and in full force and effect during the extended term provided for in this Extension.

EXECUTED this the \_\_\_\_ day of \_\_\_\_\_, 2006.

**CITY:**

**CITY OF SAN ANTONIO, TEXAS**

**CONTRACTOR:**

**CHASE PAYMENTECH  
SOLUTIONS, LLC,**  
Formerly known as  
Paymentech, LLC

BY: \_\_\_\_\_  
Sheryl Sculley  
City Manager

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
Robert K. Nordhaus  
Assistant City Attorney

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EXTENSION OF  
CREDIT CARD SERVICES CONTRACT